

Ordinance No. 18207-07-2008

AN ORDINANCE INCREASING ESTIMATED RECEIPTS AND APPROPRIATIONS IN THE GRANTS FUND IN THE AMOUNT OF \$36,728 SUBJECT TO RECEIPT OF AN EXECUTED CONTRACT AMENDMENT WITH THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY FOR THE PURPOSE OF EXECUTING AMENDMENT NO. 2 TO THE CITY SECRETARY CONTRACT NO. 33768 TO FUND THE OPERATION OF LOCAL AIR POLLUTION PARTICULATE EMISSION MONITORING SITES THROUGH AUGUST 31, 2009; PROVIDING FOR A SEVERABILITY CLAUSE; MAKING THIS ORDINANCE CUMULATIVE OF PRIOR ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS:

SECTION 1.

That in addition to those amounts allocated to the various City departments for Fiscal Year 2008-2009 and in the Budget of the City Manager, there shall also be increased estimated receipts and appropriations in the Grants Fund in the amount of \$36,728 subject to receipt of an executed contract amendment with the Texas Commission on Environmental Quality for the purpose of executing Amendment No. 2 to the City Secretary Contract 33768 to fund the operation of local air pollution particulate emission monitory sites through August 31, 2009.

SECTION 2.

That should any portion, section or part of a section of this ordinance be declared invalid, inoperative or void for any reason by a court of competent jurisdiction, such decision, opinion or judgment shall in no way impair the remaining portions, sections, or parts of sections of this ordinance, which said remaining provisions shall be and remain in full force and effect.

SECTION 3.

That this ordinance shall be incorporated into the ordinance of the municipal government of the City of Fort Worth for the ensuing Fiscal Year beginning October 1, 2008, and ending September 30, 2009, and all other ordinances and appropriations amending the same except in those instances where the provisions of this ordinance are in direct conflict with such other ordinances and appropriations, in which instance said conflicting provisions of said prior ordinances and appropriations are hereby expressly repealed.

SECTION 4.

This ordinance shall take effect upon adoption.

APPROVED AS TO FORM AND LEGALITY:


Assistant City Attorney

ADOPTED AND EFFECTIVE: July 29, 2008

City of Fort Worth, Texas
Mayor and Council Communication

COUNCIL ACTION: Approved on 7/29/2008 - Ord. No. 18207-07-2008

DATE: Tuesday, July 29, 2008
LOG NAME: 52TCEQ_PM2.5_#2

REFERENCE NO.: **C-22947

SUBJECT:

Authorize Execution of Amendment No. 2 to City Secretary Contract No. 33768 with the Texas Commission on Environmental Quality for the Operation of Local Air Pollution Particulate Emission Monitoring Sites and Adopt Appropriation Ordinance

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize the City Manager to execute Amendment No. 2 to City Secretary Contract No. 33768 with the Texas Commission on Environmental Quality (TCEQ) extending the contract time through August 31, 2009 and increasing the not to exceed amount from \$70,727.00 to \$107,455.00;
2. Adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the Grant Fund in the amount of \$36,728.00 in fiscal year 2008-2009, subject to receipt of an executed contract amendment; and
3. Apply indirect cost at the most recently approved rate of 21.48 percent for the Environmental Management Department.

DISCUSSION:

In 1998 the United States Environmental Protection Agency revised its measurement standards for particulate matter (PM) emissions into the atmosphere. Since fiscal year 1999-2000, the Texas Commission on Environmental Quality has contracted with the City for operation and maintenance of the monitoring equipment provided by the TCEQ for three PM monitoring stations. The location of each station is as follows:

Haws Athletic Center	600 Congress Street	2 monitors
Arlington Municipal Airport	5000 South Collins Street	1 monitor

The City is responsible for retrieving the sampling filters and data, sending filters and data for analysis, and performing regular audit and maintenance activities on the equipment under the terms of the contract.

This amendment extends the term of the contract through August 31, 2009, and increases the not to exceed amount of the contract from \$70,727.00 to \$107,455.00.

FISCAL INFORMATION/CERTIFICATION:

The Finance Director certifies that upon approval of the above recommendations, receipt of grant funds, and adoption of the attached appropriation ordinance, funds will be available in the current operating budget, as appropriated, of the Grant Fund. Funds will be reimbursed by grantor after expenditures are made.

TO Fund/Account/Centers2) GR76 451543 052412120000\$36,728.002) GR76 5(VARIOUS) 052412120030\$36,728.00**FROM Fund/Account/Centers**

Submitted for City Manager's Office by:

Charles Daniels (6183)

Originating Department Head:

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